

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

RACHAL LAUT, f/k/a GOVRO and	)	No. ED101801
JOHN M. SOELLNER,	)	
	)	Appeal from the Circuit Court
Appellants,	)	of Jefferson County
	)	
vs.	)	Hon. Gary P. Kramer
	)	
CITY OF ARNOLD,	)	
	)	Filed:
Respondent.	)	October 6, 2015

Rachal Laut and John Soellner (“Appellants”) appeal from the judgment denying their request for civil penalties and attorney fees for the City of Arnold’s violations of the Missouri Sunshine Law.

TRANSFERRED TO THE SUPREME COURT.

#### Division One holds:

We would find that the judgment was not against the weight of the evidence and was supported by substantial evidence showing that the City had not knowingly or purposefully violated the Sunshine Act and therefore was not subject to attorney fees and penalties under Section 610.027. But, because of the general interest and importance of the issue herein, we transfer the case to the Supreme Court under Rule 83.02.

Opinion by: Robert G. Dowd, Jr., P.J.  
Roy L. Richter, J., concurs.  
Lisa S. Van Amburg, C.J., concurs with separate opinion.

Attorneys for Appellant: W. Bevis Schock, Hardee C. Menees

Attorneys for Respondent: Robert K. Sweeney, Allison M. Sweeney

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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